

IDS - 06/08/2006

JUN 08 2006

Complete if Known**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

of 14

Application Number	10/783,880
Filing Date	February 19, 2004
First Named Inventor	Tobin C. Island
Art Unit	3739
Examiner Name	Henry M. Johnson III
Attorney Docket Number	354806-991100 (2502187-991100)

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. § 1.56(a) and 37 C.F.R. § 1.97, Applicant(s) hereby make of record the references listed on the accompanying Form SB/08a, SB/08b for consideration by the Examiner in connection with the examination of the above-identified patent application.

This Information Disclosure Statement:

- (a) accompanies a new patent application submitted herewith.
- (b) is filed within three (3) months of the Filing Date or before the mailing date of a First Office Action on the merits; OR
- (c) is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned prior to the mailing date of either a final rejection or a notice of allowance, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below OR
- (d) is filed after the mailing date of either a final rejection or a notice of allowance, and the issue fee has not been paid, and is accompanied by the requisite petition fee (\$130) set forth in 37 CFR § 1.17(l)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below.
This document is to be considered as a petition requesting consideration of the information disclosure statement.

As required under § 1.97(e), Applicants, through the undersigned, hereby state either that [check the appropriate space]:

- (e) Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
- (f) No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

It is respectfully requested that each of the references shown on the attached PTO/SB/08a and PTO/SB/08b be made of record in this application.

Pursuant to notice entitled "Information Disclosure Statements May Be Filed Without Copies Of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003," Off. Gaz. Pat. Office 55 (August 5, 2003), no copies of U.S. Patents and U.S. Published Patent Applications are being supplied with this Information Disclosure Statement.

Substitute for form 1449A/PTO				<i>Complete if Known</i>	
				Application Number	10/783,880
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				Art Unit	3739
				Examiner Name	Henry M. Johnson III
Sheet	2	of	14	Attorney Docket Number	
354806-991100 (2502187-991100)					

Each item of information listed in the attached FORM PTO/SB/08a, and FORM PTO/SB/08b may be material to the examination of the above-identified application and is, therefore, submitted in compliance with the duty of disclosure defined in 37 CFR 1.56, 1.97 and 1.98. The Examiner is requested to make these items of official record in this application.

This Information Disclosure Statement under 37 CFR 1.56, 1.97 and 1.98 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these items constitutes prior art.

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. 1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record. To the extent required, please treat this submission as a conditional petition for acceptance of the information disclosure statement.

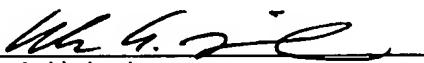
The Commissioner is authorized to charge any deficiencies and credit any overpayment of fees to our Deposit Account No. .07-1896

Respectfully submitted,

Date: 6-6-06

DLA Piper Rudnick Gray Cary US LLP

By:


 Alan A. Limbach
 Reg. No. 39,749
 Attorneys for Applicant(s)
 2000 University Avenue
 East Palo Alto, CA 94303-2248
 Tel. 650-833-2433
 Fax. 650-833-2001



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June 6, 2006
 Date


 Kathleen LaBrie

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Substitute for form 1449A/PTO

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Application Number	10/783,880
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First Named Inventor	Tobin C. Island
Art Unit	3739
Examiner Name	Henry M. Johnson III

Attorney Docket Number 354806-991100 (2502187-991100)

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
hmj		10/794,676	03-03-04	Weckworth et al.	
		R 36,634	03-28-00	Ghaffari	
		3,307,533	03-07-67	Liebner	
		3,538,919	11-10-70	Meyer	
		3,622,743	11-23-71	Muncheryan	
		3,693,623	09-26-72	Harte	
		3,821,510	06-28-74	Muncheryan	
		3,834,391	09-10-74	Block	
		4,140,130	02-79	Storm, III	
		4,232,678	11-11-80	Skovajsa	
		4,388,924	06-21-83	Weismann	
		4,354,092	10-12-82	Manabe et al.	
		4,423,736	01-03-84	DeWitt et al.	
		4,846,184	07-11-89	Comment et al.	
		4,551,628	11-05-80	Grossman	
		4,573,466	03-04-86	Simada et al.	
		4,592,353	06-03-86	Daikuzono	
		4,608,978	09-02-86	Rohr	
		4,617,926	10-21-86	Sutton	
		4,690,141	09-01-87	Castel	
		4,733,660	03-29-88	Itzkan	
		4,829,262	05-09-89	Furumoto	
		4,930,504	06-05-90	Diamantopoulos et al.	
		5,057,104	10-15-91	Chess	
		5,059,192	10-22-91	Zaias	
		5,075,971	12-31-91	McCambridge	
		5,107,832	04-92	Guibert et al.	
		5,109,465	04-28-92	Klopotek	
		5,226,907	07-13-93	Tankovich	
		5,259,380	11-09-93	Mendes et al.	
		5,282,797	02-01-94	Chess	
		5,344,418	09-06-94	Ghaffari	
↓		5,360,426	11-01-94	Muller et al.	
hmj		5,401,270	03-28-95	Mueller	

Examiner: /Henry M. Johnson, III/

Date Considered: 11/29/2006

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP '609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

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				Examiner Name	Henry M. Johnson III
Sheet	4	of	14	Attorney Docket Number	354806-991100 (2502187-991100)

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (<i>If known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
hmj		5,405,368	04-11-95	Eckhouse	
		5,425,728	06-20-95	Tankovich	
		5,431,647	07-11-95	Purcell, Jr.	
		5,464,434	11-07-95	Alt	
		5,486,172	01-23-96	Chess	
		5,519,534	05-21-96	Smith	
		5,549,660	08-27-96	Mendes et al.	
		5,556,612	09-17-96	Anderson	
		5,595,568	01-21-97	Anderson et al.	
		5,606,798	03-04-97	Kelman	
		5,624,435	04-29-97	Furumoto	
		5,628,744	05-13-97	Colman et al.	
		5,630,811	05-20-97	Miller	
		5,632,741	05-27-97	Zavislak	
		5,643,252	07-01-97	Waner et al.	
		5,647,866	07-15-97	Zaias	
		5,658,323	08-19-97	Miller	
		5,669,916	09-23-97	Anderson	
		5,683,380	11-04-97	Eckhouse	
		5,700,240	12-23-97	Barwick, Jr.	
		5,728,090	03-17-98	Martin	
		5,735,844	04-07-98	Anderson et al.	
		5,752,948	05-19-98	Tankovich	
		5,752,949	05-19-98	Tankovich	
		5,766,214	06-19-98	Mehl, Sr.	
		5,769,844	06-23-98	Ghaffari	
		5,814,040	09-98	Nelson et al.	
		5,817,089	10-06-98	Tankovich	
		5,820,625	10-13-98	Izawa	
		5,824,023	10-20-98	Anderson	
		5,830,208	11-1998	Muller	
		5,843,072	12-01-98	Furumoto	
		5,846,252	12-08-98	Mehl, Sr.	
hmj		5,849,029	12-15-98	Eckhouse	
hmj		5,853,407	12-29-98	Miller	
Examiner: /Henry M. Johnson, III/			Date Considered: 11/29/2006		
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of

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Application Number

10/783,880

Filing Date

February 19, 2004

First Named Inventor

Tobin C. Island

Art Unit

3739

Examiner Name

Henry M. Johnson III

Attorney Docket Number

354806-991100 (2502187-991100)

U. S. PATENT DOCUMENTS

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hmj	5,868,732		02-09-99	Waldman	
	5,871,479		02-16-99	Furumoto	
	5,871,480		02-16-99	Tankovich	
	5,871,521		01-16-99	Kaneda	
	5,879,346		03-09-99	Waldman	
	5,885,273		03-23-99	Eckhouse	
	5,966,210		10-12-99	Roscow et al.	
	5,968,034		10-19-99	Fullmer et al.	
	5,989,267		11-23-99	Anderson	
	6,015,404		01-18-00	Altshuler	
	6,059,765		05-09-00	Cole	
	6,080,146		06-27-00	Altshuler	
	6,096,029		08-01-00	O'Donnell, Jr.	
	6,138,041		10-24-00	Yahia	
	6,160,831		12-12-00	Kleinschmidt	
	6,183,500		02-06-01	Kohler	
	6,183,773		02-06-01	Anderson	
	6,188,495		02-13-01	Inoue	
	6,197,020		03-06-01	O'Donnell, Jr.	
	6,208,749		03-27-01	Gutkowicz-Krusin et al.	
	6,228,074		05-18-01	Almeida	
	6,251,127		06-26-01	Biel	
	6,264,649		07-01	Whitcroft et al.	
	6,269,818		08-07-01	Lui et al.	
	6,273,884		08-14-01	Altshuler	
	6,277,111		08-21-01	Clement	
	6,280,438		08-28-01	Eckhouse	
	6,290,713		09-18-01	Russell	
	6,379,376		04-30-02	Lubart	
	6,436,127		08-20-02	Anderson et al.	
	6,440,122		08-27-02	Shimoji	
	6,441,943		08-27-02	Roberts	
▼	6,508,813		01-21-03	Altshuler	
hmj	6,511,475		01-28-03	Altshuler	

Examiner: /Henry M. Johnson, III/

Date Considered: 11/29/2006

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Sheet	6	of	14	Attorney Docket Number	354806-991100 (2502187-991100)

U. S. PATENT DOCUMENTS					
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hmj		6,514,242	02-04-03	Vasily	
		6,516,013	02-04-03	Patzel	
		6,517,532	02-11-03	Altshuler	
		6,533,775	03-18-03	Bizouli	
		6,548,781	04-15-03	Brunwinkel	
		6,563,853	05-13-03	Heist	
		6,600,951	07-29-03	Anderson	
		6,605,080	08-12-03	Altshuler	
		6,610,052	08-26-03	Furumoto	
		6,641,044	11-04-03	Plesko	
		6,648,904	11-18-03	Altshuler	
		6,653,618	11-25-03	Zenzie	
		6,659,999	12-09-03	Anderson et al.	
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		6,663,620	12-16-03	Altshuler	
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		6,666,856	12-23-03	Connors et al.	
		6,723,090	04-20-04	Altshuler et al.	
		6,758,845	07-04	Weckworth et al.	
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		6,902,563	06-07-05	Wilkens et al.	
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		2002-0031160 A1	03-14-02	Desor	
		2002-0049483 A1	04-25-02	Knowlton	
		2002-0091377 A1	07-11-02	Anderson	
		2002-0097587 A1	07-25-02	Krietzman	
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		2002-0128695	09-12-02	Harth et al.	
		2002-0151887 A1	10-17-02	Stern et al.	
↓	hmj	2002-0161357	10-31-02	Anderson et al.	
	hmj	2002-0161418	10-31-02	Wilkens et al.	

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Based on PTO/SB/08a (05-03)

Approved for use through 04/30/2003. OMB 0651-0031
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Substitute for form 1449A/PTO	Complete if Known
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>			Application Number	10/783,880	
			Filing Date	February 19, 2004	
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			Examiner Name	Henry M. Johnson III	
Sheet	7	of	14	Attorney Docket Number	354806-991100 (2502187-991100)

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
hmj		2002-0173780	11-21-02	Altshuler	
		2002-0173833	11-21-02	Korman et al.	
		2002-0183811 A1	12-05-02	Irwin	
		2003-0009158	01/09/03	Perricone	
		2003-0032950 A1	02-13-03	Altshuler	
		2003-0036751	02-20-03	Anderson	
		2003-0046825 A1	03-13-03	Slingo	
		2003-0050561 A1	03-13-03	Bazin et al.	
		2003-0055413	03-20-03	Altshuler	
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		2003-0094714 A1	05-22-03	Buazza et al.	
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		2003-0138249 A1	07-24-03	Merloa et al.	
		2003-0146122 A1	08-07-03	Westfield et al.	
		2003-0169400 A1	09-11-03	Buazza et al.	
		2003-0177657 A1	09-25-03	Andis	
		2003-0195494	10-16-04	Altshuler et al.	
		2003-0199859	10-23-03	Altshuler et al.	
		2003-0216795	11-20-03	Harth et al.	
		2003-0233138 A1	12-18-03	Spooner	
		2004-0006328	01-08-04	Anderson	
		2004-0010298	01-15-04	Altshuler	
		2004-0010299	01-15-04	Tolkoff	
		2004-0034319	02-19-04	Anderson et al.	
		2004-0034341	02-19-04	Altshuler et al.	
		2004-0036975	02-26-04	Slatkine	
		2004-0073079	04-15-04	Altshuler et al.	
		2004-0093042	05-13-04	Altshuler et al.	
		2004-0122492	06-24-04	Harth et al.	
		2004-0167499	02-19-04	Grove	
hmj		2004-0167500	08-26-04	Weckworth et al.	
hmj		2004-0167502	08-26-04	Weckworth et al.	

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U. S. PATENT DOCUMENTS

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hmj		2004-0167592	08-26-04	Grove et al.	
hmj		2004-0176754	09-09-04	Island et al.	
hmj		2004-0176823	09-09-04	Island et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Number Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		CN 2442726U	08-15-04	Jianping		
		DE 100 20 070 A1	01-29-98	Renner		
hmj		EP 0 933 096 A2	08-04-99	Wynne		
		EP 1 116 476 A2	07-18-01	Conn		
		EP 1 168 535 A1	01-02-02	Shimonaka		
		EP 0 761 257 A2	03-12-03	Shinichi		
		FR 2 665 366	02-07-92	Rameil		
		JP 11-244295	09-14-99	Hirosuke		
		JP 2000-300683	10-31-00	Shimoji		
		WO 00-02491	01-20-00	Harth		
		WO 02-094116 A1	11-02	Altshuler		
		WO 03-017824 A2	03-06-03	McDaniel		
hmj		WO 03-049633 A1	06-19-03	Slatkine		

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Sheet 9		of 14	Attorney Docket Number	354806-991100 (2502187-991100)

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
hmj		Sliney, David, et al., "Safety With Lasers And Other Optical Sources, A Comprehensive Handbook", Plenum Press (1985), pp. 223-4, 477-480.		
		Hode, L., "Are Lasers More Dangerous Than IPL Instruments?", Lasers In Surgery And Medicine, Supplement, 15, 2003, p. 6; and poster presentation at corresponding conference.		
		2002 Skin & Aging, Supplement to November 2002, "Harnessing Light to Treat Stretch Marks and Other Hypopigmented Scars", pages 1-4.		
		Predicate Devices: LightSheer Diode Laser System by Star Medical/Coherent Star in 1997, K973324, K982940, K001746		
		Predicate Devices: SLP 1000 (LC 100) Diode Laser of Palomar Medical Technologies, K010580, K011747		
		Predicate Devices: Apex 800 Pulsed Diode Laser of IRIDEX Corporation, K020849		
		Predicate Devices: F1 Pulsed Diode Laser of Opus Medical, Inc., K030235		
		IEC Technical Report 60825-8, Safety of Laser Products – Guide for the Safe Use of Medical Laser Equipment		
		International Standard IEC 60825.1, Safety of Laser Products – Part 1: Equipment Classification, Requirements and User's Guide," Edition 1.2, August 2001, p. 11; p. 40, NOTE 2, Sub-note D; p. 52; p. 79		
		Predicate Devices: LightSheer Diode Laser System manufactured by Lumenis, Ltd.		
		Predicate Devices: Quantum Flash Lamp System manufactured by Lumenis, Ltd.		
hmj		Predicate Devices: CoolGlide Excel YAG Laser by Allus, Inc.		

Examiner:	/Henry M. Johnson, III/	Date Considered:	11/29/2006
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/783,880
				Filing Date	February 19, 2004
				First Named Inventor	Tobin C. Island
				Art Unit	3739
				Examiner Name	Henry M. Johnson III
Sheet	10	of	14	Attorney Docket Number	354806-991100 (2502187-991100)

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
hmj		Predicate Devices: Devices by Ya-Man, Ltd., of Tokyo, Japan.	
		Class I Laser Device under the Guidelines of the U.S. Food and Drug Administration Center for Devices and Radiological Health, 2 pages.	
		Predicate Devices: Oriel Instruments Model 48010, by Spectra-Physics, Stratford, CT	
		Predicate Devices: Panasonic part no. P-170SCW, or HHR300SCP Ni-MH Rechargeables, Panasonic P-170SCRP NiCd, by Panasonic Matsushita Electric Corporation of America, Secaucus, NJ	
		Predicate Devices: Laser Diode Bar Packages, part no. ASM06C040W080810B80, Cutting Edge Optronics, of St. Charles, MO	
		Predicate Devices: Part no. HX8-101 or FAN-101, or CP 0.8-31-06L, from Melcor	
		Predicate Devices: PIC18LF452, manufactured by Microchip Technologies of Chandler, AZ	
		Predicate Devices: Transistors IRL3716 (International Rectifier Corp., El Segundo, CA)	
		BROWN, EARLE, Modern Optics, Reinhold Publishing Corporation, 1065, p. 225	
		Micro Touch Trimmer website, www.assenontwork.com/vcc/ideavillage/microtouch/104917 , printed December 4, 2003, 21 pages.	
hmj		Palomar Super Long Pulse Diode Laser System, Clinical Data, Palomar medical Technologies brochure.	

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

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hmj		MORYS et al., "The Accurate Measurements Of Biologically Effective Ultraviolet Radiation", July 1993, 10 pages.	
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		LEUNG, S, "The Porphyrin Page" website at http://www.washburn.edu-cas-chemistry-sleung-porphyrin-porphyrin_page.html , Created April 16, 1996, Last Modified Nov. 11, 2002, printed June 22, 2004, 7 pgs.	
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hmj		BRUNSTING, L. A. et al., "The Color of the Skin as Analyzed by Spectrophotometric Methods: II. The Role of Pigmentation", The Journal of Clinical Investigation, 1929, vol. 7, pp 574-592	

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hmj		ANGELOPOULOU et al., "The Reflectance Spectrum of Human Skin", Technical Report, Department of Computer and Information Science, 1999, pgs 1-14.	
hmj		PARRISH, J. et al., Photochemistry and Photobiology, Vol. 36, pg. 188, "Erthema And Melanogenesis Action Spectra Of Normal Human Skin, Solar Light Co., Philadelphia, PA, pgs 187-191.	

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